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DATE: October 17, 2005

PTO IDENTIFIER: Application Number 10/612,878-Conf. #6991
Patent Number

Inventor: Timothy Warner et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

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PAGES (Including Cover Sheet): 4

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Application No. (if known): 10/612,878

Attorney Docket No.: 22130-00027-US

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Response to Restriction Requirement (with Traverse) (2 pages)

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Docket No.: 22130-00027-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Timothy Warner et al.

Application No.: 10/612,878

Confirmation No.: 6991

Filed: July 7, 2003

Art Unit: 1742

For: AIRCRAFT STRUCTURAL MEMBER MADE
OF AN AL-CU-MG ALLOY

Examiner: J. C. Morillo

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed September 19, 2005, applicant hereby provisionally elects claims Group I, claims 1-21, 25-33, 36-56, 60-98 and 102-110 for continued examination, with traverse.

The Examiner has required restriction between Group I, claims 1-21, 25-33, 36-56, 60-98 and 102-110, drawn to an aluminum alloy composition; Group II, claims 22-23, 57-59 and 99-101, drawn to a process of casting, heat treating and working an Al-Cu alloy; and Group III, claims 34-35, drawn to a clad metal sheet.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not independent.

Application No.: 10/612,878

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Here the present claimed should all be examined together in the same application. Applicant has elected product claims (Group I) and under the Ochiai guidelines, the methods or making and use are also to be examined and allowed together.

If the Examiner is aware of another method to make the product as claimed, using a process which is materially different from that set forth in the restricted claims, applicant respectfully requests the Examiner to substantiate his position in greater detail. Otherwise, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-110 presently pending in this application be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 22130-00027-US from which the undersigned is authorized to draw.

Dated: October 17, 2005

Respectfully submitted,

By Susan E. Shaw McBee
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